THE HONOURABLE SRI JUSTICE C.V.RAMULU

W.P.No.5156 of 1997

Dated:06-03-2007

Between:

The Engineer-in-Chief, I & CAD (PW)
Department, Erramanzil, Hyderabad. **…..PETITIONER**

AND

Sri M.Penchalaiah,
Compressor Operator, Heavy Machinery
Sub-Division, M&W Division, Srisailam Dam
East (PO), Kurnool District and another.
….RESPONDENTS

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ORDER:

This writ petition is filed seeking a Certiorari to call for the records relating to the orders in M.P.No.259 of 1986 dated 30-8-1993 on the file of the learned Additional Industrial Tribunal-cum-Additional Labour Court, Hyderabad and quash the same as arbitrary and illegal.

It appears the 1st respondent filed M.P.No.259 of 1986 before the Additional Industrial Tribunal-cum-Additional Labour Court at Hyderabad seeking difference of wages as per the calculation sheet enclosed. It was contended by the petitioner-respondent before the Tribunal that the petitioners are not entitled as they have no vested or existing right and they were estopped to claim the difference of wages and allowance as they have paid the scales of pay of the corporation and there was no settlement to pay the government scales of pay. The tribunal though found that there was no settlement between the parties as per the provisions of the Minimum Wages Act and Rules, the management as well as the successor in interest are liable to pay the difference of wages and allowances. It was further noticed that the claim was put-forth as computed in the annexure and in the counter filed by the respondent No.2 the correctness of the calculation was not disputed. On the other hand, respondent No.2 herein offered no remarks. Therefore, the petition was ordered as prayed for ultimately granting an amount of Rs.3,793.17 ps as difference of wages.

I am of the opinion that no ground is made out to interfere into such an order passed by the Tribunal. The petitioner respondent had never disputed as to the correctness of the calculations made and the minimum wages for

which they are entitled. In those circumstances, the writ petition is devoid of merits and is liable to be dismissed and is accordingly dismissed. There shall be no order as to costs.

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(C.V.RAMULU,J

Date: 06-02-2007
Grk

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